

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
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BRIAN D. SHAPIRO, TRUSTEE,

Appellant,

vs.

VONNIE ALLEN, fka VONNIE
DAGHER; EDWARD DAGHER;
ADVANTAGE SPORT
SURFACES, LTD.,

Appellees.

2:10-CV-00383-PMP-PAL

ORDER

Before the Court for consideration is Appellees' fully briefed Motion to Dismiss Appeal for Lack of Jurisdiction (Doc. #15), filed on October 4, 2010. Having read and considered the foregoing the Court finds Appellees' Motion to Dismiss Appeal for Lack of Jurisdiction (Doc. #15) must be granted.

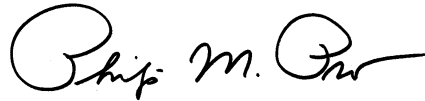
Specifically, the Court finds that the Order denying Motion to Approve Settlement (Bankruptcy Docket #273) entered in the Bankruptcy Court on February 19, 2010, is not a final judgment, order or decree because the bankruptcy court's Order does not finally determine the rights of the parties. It is interlocutory in nature rendering appeal appropriate only with leave of the court. 28 U.S.C. § 158(a).

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1 **IT IS THEREFORE ORDERED** that Appellees' Motion to Dismiss Appeal
2 for Lack of Jurisdiction (Doc. #15) is **GRANTED** without prejudice to Appellant
3 Brian D. Shapiro, Trustee to seek leave before the Bankruptcy Court to file an
4 Interlocutory Appeal.

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6 DATED: October 27, 2010.

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PHILIP M. PRO
United States District Judge
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